

# Motion to dismiss

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18 U.S.C. § 3161(b), (H)

24-30456

Defendant James Nelson Holloway II moves to dismiss the complaint in this matter pursuant to 18 U.S.C. 3161(b), 3161(H) 3161(F), on the date of Jan. 21<sup>st</sup> 2025.

FILED  
JAN 30 2025  
CLERK'S OFFICE  
DETROIT

## Chapter 208. Speedy Trial

## Motion for Dismissal

## 3161 Time limits and exclusions

(F) 60 days the time limit imposed with respect to the period between arrest and indictment by subsection (B) of this section shall be sixty days.

(F) delay resulting from transportation of any defendant from another district or to and from places of examinations or hospitalization, except that anytime consumed in excess of ten days from the date an order of removal or an order directing such transportation, and the defendant's arrival at the destination shall be presumed to be unreasonable

(H) delay reasonably attributable to any period, not to exceed thirty days during which any proceeding concerning the defendant is actually under advisement by the court.

(d) (1) If any indictment or information is dismissed upon motion of the defendant or any charge contained in a complaint filed against an individual is dismissed or otherwise dropped, and thereafter a complaint is filed against such defendant or individual charging him with the same offense or an offense based on the same conduct or arising from the same criminal episode, or an indictment or information is filed charging such defendant with the same offense or an offense based on the same conduct or arising from the same criminal episode, the provisions of subsections (b) and (c) of this section shall be applicable with respect to such subsequent complaint, indictment, or information as the case may be.

(B) Any information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges. If an individual has been charged with a felony in a district in which no grand jury has been in session during such thirty-day period, the period of time for filing of the indictment shall be extended an additional thirty days.

Stating law on Court Record is not grounds for a competency exam and is a depriving of the 1<sup>st</sup> and Aid and comfort to what was Reported in my Right to admit evidence onto Court record and report what is occurring in crimes upon me. Beyond omission from duties in a Aid in comfort. Show the evidence of any competency issue in a writ of Prohibition that prohibits a magistrate from using false information in denying me bond from a prosecutors perjury and previous Judges corruption in Treason and terrorism.

18 USC 241 and 242 Alone state that is a death sentence in the OV sentence (guide lines) and maybe and should be sentenced for such. and that is 18 USC 241 and 242 alone. Not including a Terrorism or treason charge, Aggravated kidnapping ~~with~~ with a attempted murder with a firearm in ~~then~~ a domestic terrorism with thousands of felonies that go into that terrorism and treason in the depriving of rights.

Then moving in aggravated sexual abuse and torturement done for and in the depriving of rights in that kidnapping from those under the color of law and also dressing a civilians. Treason upon such in Court from a Judge who acts as a dictator and Removes the law when they want in their damages done in the depriving of rights in Rebellion to the United States of America in their not believing in the Constitution and damages done to others in that war levied upon the people that is the destruction to these ends and overthrow of the government from within.

Said on Open Court Record. The grounds for being charged with Treason. And undeniable as on Court Record from the 16<sup>th</sup> circuit Court of Macomb County Michigan.

The federal criminal code was amended to the war on terror. All the damages done for the depriving of rights go into terrorism charges.

EXCUSE my writing as I have no ability to print/type from here or prepare my forms for court. Take these make shift forms as calling for such motion to dismiss.

Writ of Habeas Corpus and Writ of Mandamus for investigation and charges.

James Holloway

Indigent Fee Waiver forms for motions to dismiss and  
recovery forms as I have no access to forms here, 18 USC 3161(b)(1)

Indigent fee waiver for court transcripts  
COURT TRANSCRIPTS

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